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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,062	03/06/2002	Brian R. Beams	05222.00183	5464
29638	7590	05/20/2005		EXAMINER
				HOLMES, MICHAEL B
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/018,062	BEAMS ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Michael B. Holmes	2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 March 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 06 March 2002 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                       |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02072002</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)   |
|   | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Office Action</u> . |



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**Examiner's Detailed Office Action**

1. This Office Action is responsive to application 10/018,062, filed March 06, 2002.
2. Claims 1-19 have been examined.

**Claim objection(s)**

3. Claim 10 has a minor typo error regarding the naming of steps. Specifically it appears as if step (g), should in fact be step (e). Appropriate correction is required.

**Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by *Cook et al.* (USPN 5,727,950).

Regarding claim 1, 10 & 11. *Cook et al.* teaches a method, apparatus & computer program product for establishing a collaborative training session, comprising the steps of:

- (a) receiving information indicative of a goal [*see Fig. 1 & Abstract, Examiner interprets a goal to be the end toward which an effort is directed or more appropriately an intention and in this case the intention is learning, C 6, L 57-65*];
- (b) prompting a user to enter a response congruent with the goal [*see Fig. 2A & C 6, L 37-49 & L 57-65*];
- (c) receiving the response to the goal [*see Fig. 2A & C 6, L 37-49 L 57-65*];
- (d) calculating a level of congruency between the response and a target response designed to achieve the goal [*see C 5, L 54-55 & C 55, L 66 to C 56 L 43*]; and
- (e) providing feedback to the user from a collaborative session reflecting the level of congruency to assist the user in achieving the goal [*see C 5, L 46-55*].

Regarding claim 2-5, 8, 9, 12-15, 18 & 19. *Cook et al.* teaches a plurality of servers that are coupled through a computer network [*see Abstract, C 1, L 53-64, Fig. 2A & C 6, L 50-56*].

Regarding claim 6, 7, 16 & 17. *Cook et al.* teaches a method wherein the training session is presented using prerecorded multimedia [*see C 2, L 30-52 & C 4, L 34 to C 5, L 3*].

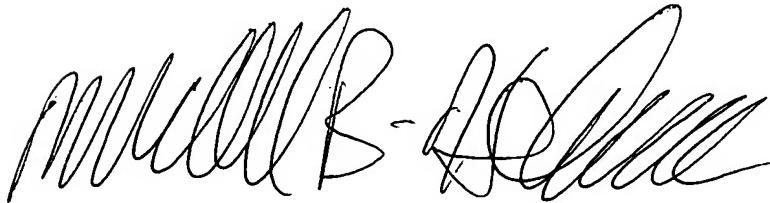
## Correspondence Information

6. Any inquires concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email [Michael.holmesb@uspto.gov](mailto:Michael.holmesb@uspto.gov).

If you need to send an Official facsimile transmission, please send it to (703) 746-7239.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, Anthony Knight, may be reached at (571) 272-3687.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.



***Michael B. Holmes***  
Patent Examiner  
Artificial Intelligence  
Art Unit 2121

United States Department of Commerce  
Patent & Trademark Office

Monday, May 16, 2005

MBH